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Follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 58/154 of 22 December 2003 in which the Assembly noted with satisfaction the efforts of the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM) and the Organization for Security and Cooperation in Europe (OSCE) in developing strategies and practical tools for more effective capacity-building in countries of origin and enhancing programmes to address the needs of various categories of concern to the countries members of the Commonwealth of Independent States (CIS).

In resolution 58/154, the Assembly, inter alia, (a) reaffirmed the importance and continuing validity of the Programme of Action, adopted in Geneva in May 1996 by the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States; (b) recognized the ongoing acuteness of the migration and displacement problems in CIS member countries and the necessity, as affirmed by the Steering Group of the Conference at its fifth meeting in July 2000, to continue the follow-up process for a

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further period of five years; (c) called upon the Governments of CIS member countries, in cooperation with UNHCR, IOM and OSCE, to strengthen their efforts and mutual cooperation relating to the follow-up to the 1996 Geneva Conference; (d) noted with concern the decision to postpone the high-level review meeting concerning the implementation of the decisions of the Conference; (e) welcomed subregional initiatives within the framework of the new Söderköping Process; and (f) recalled that the protection and promotion of human rights and the strengthening of democratic institutions are essential to prevent mass population displacement.

I. Implementation of the Programme of Action

1. Since the preparation of the previous report of the Secretary-General on this subject in mid-2003 (A/58/281), progress has been made in achieving the objectives of the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States (referred to hereinafter as the 1996 Geneva Conference). However, the management of migration and development of systems of asylum in Eastern Europe and Central Asia remain a challenge, owing to the large scale of transit and irregular movements, a feature which counts among the important recent developments in the region as it is perceived as having very serious national security consequences for host countries. Such migration and other forms of displacement go beyond the context of the dissolution of the former Union of Soviet Socialist Republics and now encompass new trends and types of movement both within and external to that region. Subregional cross-border initiatives have begun to address this phenomenon with particular focus on the borders of an enlarged European Union, and they have been given further impetus by the Union's new neighbourhood policy. Human security remains a concern in the light of continuing and evolving causes of displacement. People continue to move in search of protection or legal identity, or to escape from conflict, violence or harsh economic or environmental conditions. Thus, although the current process is to be concluded in October 2005, there is recognition among its participants that a new arrangement to replace it is highly desirable in order to sustain regional and multilateral cooperation and consultations on remaining gaps, and to respond to new challenges in a coherent and comprehensive manner.

2. The workplan adopted in 2001, based on the recommendations for further action made by the Steering Group at its fifth meeting, focuses on four themes: (a) groups of concern; (b) migration management and improvement of border management with due attention to asylum issues and the human rights of the individuals concerned; (c) sustaining the achievements and activities of non-governmental organizations and of civil society; and (d) implementing legislation and avoiding implementation gaps. However, given the natural synergies and connections between work on (a), groups of concern, and (d), legislation and between (b), migration management, and (d), legislation, both UNHCR and IOM considered that focusing on a combination of (a) and (d) and of (b) and (d) would prove to be a more effective, synergetic and practical method of using resources, and the respective themes were therefore merged. Similarly, the Council of Europe implemented a number of activities which cut across themes (b) and (d), and (c) and (d).

3. As concerns asylum legislation and implementation, concrete and measurable legislative developments have taken place in virtually all Eastern European and Central Asian countries towards the adoption of legislative frameworks which, to a large extent, are compatible with international laws and norms. Asylum legislation is largely in place and correlative efforts towards the avoidance and reduction of statelessness (notably by the Council of Europe and UNHCR) have been pursued within the context of newly promulgated citizenship laws. Of particular concern, however, is a tendency towards retrogressive alterations in refugee, immigration and citizenship legislation as a means of combating illegal migration or addressing

national security issues. With regard to the implementation of laws, a lack of full implementation and in some cases deviation from international standards were still being noted.

4. Tangible progress has been made in increasing the capacity of Governments to manage migration. At the same time, negative or frequent administrative reforms have sometimes weakened rather than strengthened their capacity. The migration sector is no exception. In addition, irregular migration, smuggling and trafficking, and in particular irregular transits to Western countries, continue to increase and add to the migration management challenges in Eastern Europe and Central Asia at all levels: policy, legislation, procedure and implementation. Research and studies undertaken in regard to migration flows and trafficking have led to a better understanding of the situation and a clearer vision of the further measures required to address the different issues. Intergovernmental efforts conducted under the auspices of the Council of Europe have developed a European convention that aims to complement the United Nations instruments dealing with smuggling of and trafficking in human beings. Many countries have enacted or amended their migration legislation and, as outlined above, have established asylum systems to address protection needs, but much work remains to be done, particularly with regard to counter-trafficking legislation, the elimination of incompatibilities among different laws, and implementation. Moreover, there is the danger that security concerns, particularly following the events of 11 September 2001, could curtail or reverse the progress made in some areas.

5. As for sustaining the achievements and activities of non-governmental organizations and of civil society, the publication by the Council of Europe of the fundamental principles on the status of non-governmental organizations in Europe in 2002 provided a firm body of basic legal principles that may serve to underpin the coherent development and legal status of non-governmental organizations. Progress has been made in addressing the priority areas of sustainability of such organizations, building their capacity in the area of protection, their beneficiary participation and their mass media relations through a regional learning programme. This includes the development of programmes on fund-raising skills (including corporate and private sector fund-raising), mass media and public information skills, participatory methodologies for beneficiary assistance and protection, and protection training. Analyses of cooperation between the Office of the United Nations High Commissioner for Refugees and non-governmental organizations were undertaken in Armenia, Azerbaijan, Belarus, Kyrgyzstan, the Republic of Moldova, Georgia, Ukraine, Uzbekistan, Tajikistan and the Russian Federation to identify developments, but obstacles remain. A host of subregional and country-related activities of non-governmental organizations under the substantive themes of the workplan were carried out through the working groups. Progress was achieved in building the capacity of non-governmental organizations in the migration sphere through the IOM migration sector development programme in the Caucasus and work in Central Asia. In addition, IOM worked extensively with non-governmental organizations to prevent trafficking in persons, especially women and children, to protect victims of trafficking and to conduct research. In some places, such as Ukraine, counter-trafficking networks have been developed by national non-governmental organizations.

II. Review of progress made and future plans

6. Following the postponement of a meeting initially planned for October 2002, preparations resumed early in 2004 to hold a high-level review meeting of all concerned States, of international agencies and of non-governmental organizations to analyse achievements and the gaps and concerns remaining in regard to asylum system development, migration management and displacement issues. Several preparatory meetings were organized by UNHCR in Geneva with all stakeholders.

7. The High-Level Review Meeting, convened within the framework of the 1996 Geneva Conference follow-up process, was held in Minsk, from 26 to 28 May 2004. It was organized jointly by the lead agencies: UNHCR, IOM, OSCE and Council of Europe. It was co-sponsored by the European Commission, and hosted by the Government of Belarus. Participants included delegations from CIS member countries (with the exception of Uzbekistan) and neighbouring and interested countries and representatives of the European Commission, other international organizations and non-governmental organizations.

8. The theme of the Meeting, "Refugees, migration and protection", was based on those provided in the recommendations of the Steering Group in July 2000 for future activities, and discussions focused on asylum and solutions, migration management and human security and forced displacement.

9. The Meeting opened with statements by the Deputy Prime Minister of Belarus, the Director-General of IOM and senior officials from lead agencies. Plenary sessions were co-chaired by UNHCR and IOM. During the first session, which reviewed recent developments and the progress achieved, representatives of CIS member countries delivered brief statements, based on the written submissions provided to the organizers prior to the meeting. The coordinators of working groups of non-governmental organizations from CIS countries gave brief reports, as did lead agencies, on results achieved with respect to the thematic workplan. During the second session, three working groups were established for the purpose of holding a thematic dialogue. The first working group, co-chaired by UNHCR and the Russian Federation, addressed issues concerning asylum and solutions; the second working group, co-chaired by IOM and Kyrgyzstan, focused on migration management; and the third working group, co-chaired by the Council of Europe and OSCE, addressed human security and forced displacement. A final plenary session provided the opportunity to discuss evolving strategies and approaches, and future directions with regard to local ownership of remaining steps, scope for partnerships, interaction with other regional processes and perceived priorities.

10. The High-Level Review Meeting was intended to provide participants with an opportunity to assess progress made in achieving the goals of the 1996 Geneva Conference process and to identify remaining gaps and needs. The forum also provided an opportunity to discuss strategies and priorities for further activities and ways of strengthening cooperation between the CIS States and partners from international organizations, donor countries and non-governmental organizations, in the sprit of international solidarity and burden-sharing. The participants' views on these issues were summarized in the Chair's conclusions which were based on the country reports from CIS States and discussions. The conclusions were debated and adopted.

11. Participants in the High-Level Review Meeting (a) recognized that the 1996 Geneva Conference process had produced significant achievements in the CIS region, (b) reaffirmed the conclusion of the current process in 2005 and (c) agreed to build on the foundations that had been laid and to evolve towards a framework of cooperation, including working consultations on the important issues. Recognizing the changes in the region as regards both the dynamics and evolving national priorities and capacities related to the problems of refugees, displaced persons, migration and asylum issues, and noting the new or remaining challenges in these spheres, the Governments of the participating States invited international agencies to continue to facilitate and provide support to cooperation among the participating States on initiatives related to these issues.

12. Participating CIS States recognized the importance of including development priorities in the identification and implementation of solutions to and preventive measures against population displacement and, in this respect, the role of the United Nations Development Programme (UNDP) and other actors in supporting and implementing such responses.

13. Participating CIS States invited civil society and non-governmental organizations to continue to contribute to the implementation of principles and activities identified in the course of the process and recognized the necessity of continuing the support provided for the activities in these areas of the working groups of non-governmental organizations from CIS countries.

14. Participating CIS States fully recognized and expressed their appreciation for the important contributions of donors and invited them to continue to support the implementation of principles and priorities identified during the High-Level Review Meeting. Neighbours, observers and friends welcomed the efforts and achievements of the participating States and the lead agencies during the process and encouraged further cooperation.

15. Participating States reaffirmed the need to maintain a necessary balance between issues of civil liberty and those of State security in pursuit of the objectives agreed on at the High-Level Review Meeting.

16. Concerning refugee and asylum issues, participating States welcomed the fact that all but one country in the region had ratified the 1951 Convention relating to the Status of Refugees and/or its 1967 Protocol and that, in several States, specific legislative and administrative measures had been taken to guarantee the personal safety and rights of those in need of international protection. The participating States invited the remaining State to accede to the 1951 Convention and/or its 1967 Protocol. Participating States also invited all States in the region to adopt significant national measures based on high standards for international protection.

17. Participating CIS States recognized that important issues remained to be addressed as regards the implementation of a fair and effective asylum system involving access to the territory, adequate reception facilities, the implementation of a process for determining refugee status and the creation of possibilities of integration for those found to be in need of international protection. Participating CIS States, recognizing the specific protection and legal mandate of UNHCR, invited the Office to continue to provide support for and facilitate initiatives to respond to those remaining challenges.

18. In particular, participating CIS States invited UNHCR to continue providing technical assistance for capacity-building of relevant administrative bodies and national court systems, and the training of border guards and law enforcement staff for the management of an adequate asylum procedure. In this respect, they recognized the importance of having available information concerning the areas of origin of asylum-seekers and invited UNHCR to facilitate the exchange of such information.

19. The participating CIS States emphasized the need for and importance of reliable and complete data on asylum-seekers, refugees, migrants and displaced persons, and agreed to strengthen cooperation among the concerned States and with international agencies in relation to the registration and documentation of such groups. States and international agencies were invited to share with participating CIS States their experience in that respect.

20. Participating CIS States recognized the importance of providing refugees, including children, with adequate documentation. Reaffirming the principles of the 1951 Convention relating to the Status of Refugees and the Convention on the Rights of the Child, participating CIS States were invited to adopt specific legislative and administrative measures in accordance with those instruments.

21. Participating CIS States recognized that real opportunities for the local integration of refugees should be pursued by national Governments and supported by UNHCR and other relevant organizations. They recognized that, in order to create a favourable climate for the integration of recognized refugees, a more positive and respectful attitude towards refugees should be fostered and that public awareness programmes should be initiated to curb xenophobia, discrimination and intolerance. In many countries, possibilities for the integration of refugees remain very fragile and difficult, often in a situation of significant national unemployment and limited capacity for integration. To enable participating States to develop adequate capacities for integration, international actors, such as UNHCR, UNDP and other development agencies and international financial institutions were invited to provide support to strengthen initiatives in this area.

22. Participating CIS States recognized that, where appropriate, States should consider granting humanitarian status to individuals and groups who had been externally displaced by conflict and who did not meet the criteria for recognition as refugees under the 1951 Convention but who were nevertheless in need of international protection, in order to legalize their refuge on humanitarian grounds and provide effective protection.

23. Participating States welcomed the important contributions of civil society and non-governmental organizations under the process and expressed the wish to further strengthen cooperation in developing and implementing responses to asylum issues.

24. Concerning migration issues, the participating CIS States affirmed their recognition of the underlying principle of freedom of movement; recognized the significant progress made since 1996, with the interim review in 2000, on national, regional and international levels in addressing issues of migration; and acknowledged that migration was by its nature a dynamic phenomenon that required the continuing development and adaptation of legislation, policies and procedures consistent with international principles and practices, including provision for the management of labour migration.

25. The participating CIS States affirmed their readiness to strengthen institutions and actively implement existing legislation based on good practice and a thorough and holistic assessment of migration. They invited participating States which had not yet done so, to sign and ratify the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against Smuggling of Migrants by Land, Sea and Air.

26. The participating CIS States recognized the benefits of developing and harmonizing national and regional mechanisms for the collection and analysis of migration statistics and gave favourable consideration to developing or improving regulated migration channels for employment and self-employment purposes among countries in the region, as appropriate, and with countries outside the region.

27. The participating CIS States recognized the need to pay increased attention to the treatment of migrants and to ensure protection of their rights in accordance with international standards and national legislation. They affirmed that they would endeavour to enhance the capacity to ensure minimum standards of dignity and safety in the reception and detention of irregular migrants and that they were prepared to facilitate the voluntary return of irregular migrants and their sustainable reintegration, including training that would assist their re-entry into local labour markets.

28. The participating CIS States concurred on the benefits accruing from enhanced border management in the interest of both national security and freedom of movement of people; committed themselves to combating trafficking in persons and urged countries of origin and of destination to do so through prevention, criminalization, prosecution and international cooperation, and to protecting and rendering comprehensive assistance to victims of trafficking; invited participating States to support the work of the Council of Europe in drafting a convention against trafficking in human beings, largely devoted to the protection of victims and open for accession by non-European States; and agreed to curtail irregular migration and smuggling of migrants through the dissemination of information and enhanced cooperation among border, migration and police authorities, and between neighbouring countries, consistent with their responsibilities for the protection of the rights of asylum-seekers, refugees and migrants.

29. The participating CIS States recognized the need for measures to facilitate the integration of lawful migrants and to curtail xenophobia and discrimination and affirmed that they would strive to ensure access to proper travel documentation, enhance capacity to issue secure travel documents and visas, harmonize travel document requirements within the region, and detect false documentation in the interest of national and international security.

30. The participating CIS States recognized the value of linking the remittances of labour migrants and the financial and qualified human resources of overseas communities to their home countries in the interest of social and economic development.

31. The participating CIS States expressed their appreciation for the contributions of the non-governmental sector and noted the value of further strengthening this sector with a view to its participation in shaping migration policy and to assist and protect migrants and victims of trafficking.

32. The participating CIS States recognized the importance of, and undertook to sustain and enhance, dialogue and cooperation on migration issues in existing and evolving bilateral, regional and international frameworks. Building on achievements to date, they invited IOM and other agencies concerned to promote and continue to engage in the technical cooperation, capacity-building and assistance necessary to strengthen migration management at the national, regional and international levels and to address comprehensively the evolving agenda for migration.

33. Concerning the avoidance and reduction of statelessness and the protection of stateless persons, the participating CIS States undertook to adopt or revise citizenship legislation on avoiding and reducing statelessness as a consequence of State succession and to set up mechanisms that would enable persons to establish their nationality; they also undertook to do so in accordance with the provisions of the 1961 Convention on the Reduction of Statelessness and, where applicable, the 1997 European Convention on Nationality.

34. The participating CIS States recognized the usefulness of bilateral or multilateral mechanisms in facilitating the renunciation and acquisition of nationality in States that do not accept dual citizenship and welcomed the technical assistance provided by such international organizations as UNHCR, the Council of Europe and OSCE in this regard. Participating CIS States affirmed that they would consider acceding to the 1961 Convention on the Reduction of Statelessness and, where applicable, the 1997 European Convention on Nationality.

35. The participating CIS States recognized that, despite the efforts made by the participating States to ensure the realization of the right to a nationality of all persons living on their territories, there were still cases of statelessness which could be addressed by providing a legal regime to persons so identified, notably in accordance with the definition contained in the 1954 Convention relating to the Status of Stateless Persons. Participating States were therefore considering acceding to the 1954 Convention and welcomed the technical advice to be provided by UNHCR in that regard, as well as on the practical implementation of the Convention.

36. Concerning formerly deported peoples, the participating CIS States emphasized the need to speed up progress in reaching a comprehensive and durable solution to the problems still faced by the remaining vulnerable groups. Such a solution should be based on: the protection of human rights, including the right to personal safety, by the country of residence; the elimination of statelessness and the early removal of obstacles to the acquisition of citizenship by those already entitled to it; the facilitation of return/repatriation to the country of origin or integration in the country of residence on the basis of voluntary choice; the facilitation of resettlement to a third country, while ensuring respect for the rights of persons who remained in the country of residence; and the provision of support for integration on the basis of equality, respect for human dignity and non-discrimination.

37. Concerning human security and forced displacement, the participating CIS States reaffirmed their commitment to respect international standards of human rights and humanitarian law when undertaking measures to deal with situations of increased security threat.

38. Participating CIS States expressed concern for the security, safety and dignity of displaced persons, especially of those who found themselves in situations of

protracted displacement. They stressed the need to intensify the search for solutions for these persons.

39. Participating CIS States recognized the importance of long-term stability for the protection of human security and reaffirmed the importance of the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2). They called upon the international community to strengthen its efforts to assist in the peaceful settlement of conflicts on the basis of international law and in accordance with the principles of solidarity and burden-sharing. The participating CIS States emphasized the importance of the international community's promotion of, and support for, the identification of solutions to the problems faced by States in the region.

40. The participating CIS States recognized that active interaction among Governments, international institutions and non-governmental organizations in work on crisis management and prevention was necessary. They emphasized the importance of undertaking relevant measures to contribute to the elimination of the root causes of movements, including involuntary relocation of persons. Such measures should be based, in particular, on full compliance with international human rights standards.

41. The participating CIS States recognized that ensuring equal access for all categories of the population to economic opportunities was essential to eliminate the root causes of conflicts, violence and instability. Activities that were focused on the prevention of crises and forced migration remained an essential objective for the region, as did the related need to respond adequately to new threats. The participating States acknowledged the role of civil society in the prevention, reduction and resolution of conflict and the elimination of xenophobia and discrimination.

42. At the fifth meeting of the Steering Group in July 2000, it was decided to continue follow-up activities for a further five years; that schedule was affirmed at the High-Level Review Meeting in May 2004. After consultations organized during the first half of 2005 by UNHCR on behalf of the lead agencies with the CIS member countries and friends of the process, it was decided to hold the concluding meeting of the Conference process in Geneva on 10 October 2005. It was also agreed that the conclusions of the Chair of the High-Level Review Meeting should serve as the basis for the concluding statement of the concluding meeting. Those conclusions reflected the principles underlying the 1996 Geneva Conference, took into account the changes that had occurred since 1996, identified remaining gaps and concerns, and set important benchmarks for achievements and remaining priorities.

43. The concluding meeting has been preceded by further consultations among the stakeholders as to its format and what could follow the formal ending of the current process. Participants in those discussions affirmed the desirability of replacing the process with a new arrangement that would provide a flexible, action-oriented framework, owned by States, for structured dialogue and coherent cooperation in respect of a comprehensive range of issues related to forced migration and protection. It was agreed that the working name for the arrangement would be "Framework for Euro-Asian Cooperation on Migration, Asylum and Displacement". In the past few months, UNHCR and the other lead agencies have continued discussions with the aim of exploring possible modalities, sources of funding and levels of support for such an arrangement, as well as its scope and how

complementarities could be achieved with the other processes and dialogues that address migration issues in the broader CIS region.

44. Since the preparation of the previous report of the Secretary-General on this subject, representatives of UNHCR and IOM have participated in the meetings of other forums addressing migration issues in the CIS region with a view to facilitating cooperation and complementarities and avoiding duplication and overlap. UNHCR has also sought to ensure that safeguards for asylum-seekers and refugees are included in migration and border management systems. As a result, both the Issyk-Kul Dialogue, which focuses largely on the countries of the South Caucasus and Central Asia and their neighbours but which since January 2004 has been suspended, and the Budapest Process, which since 2003 has redirected its activities to the CIS region, have acknowledged the utility of closer cooperation with the 1996 Geneva Conference process and the related subregional Söderköping Process.

45. The intergovernmental forum known as the Budapest Process was established in the early 1990s with the aim of combating irregular migration and establishing sustainable systems for orderly migration in the wider European region. Initially, it concentrated on bringing the migration and border management systems of Central European countries in line with the standards applied in the western part of the continent. However, as the European Union gradually took over that role, the Budapest Process shifted its focus towards Eastern Europe and has recently redirected its activities towards the CIS region. The Ministerial Conference held in Rhodes, Greece, in 2003, to which UNHCR provided input, endorsed addressing the migration/asylum nexus from the perspective of safeguards for asylum-seekers and refugees and reducing the abuse of asylum procedures, and a working group on irregular movements and asylum was established for that purpose. The International Centre for Migration Policy Development (ICMPD), an intergovernmental organization created in 1993 at the initiative of the Governments of Austria and Switzerland, serves as the secretariat of the Budapest Process.

46. In pursuance of the recommendations of the Rhodes Ministerial Conference, ICMPD in 2004 launched a project on the redirection of the Budapest Process towards the CIS region, which was co-financed by the European Commission. The project entailed: study missions to the 12 CIS member countries and the preparation of reports on the migration situation in them, including information on each country's asylum system; three subregional meetings to discuss challenges in the migration sphere and strategies to address them, held in St. Petersburg in October 1994, in Tbilisi in April 2005 and in Almaty in May 2005; and a concluding meeting, held in Vienna in June 2005 as part of the Budapest Process consultations, to consider the conclusions of the CIS project and the modalities for intergovernmental dialogue on, and capacity-building projects in, the CIS region in accordance with the recommendations.

47. Both UNHCR and IOM were represented at the thirteenth meeting of the Budapest Group of Senior Officials, convened in conjunction with consultations on the redirection of the Budapest Process towards the CIS region and held in Vienna on 29 and 30 June 2005. The meeting was organized by ICMPD with the support of the Austrian Government.

48. The representative of OSCE, a lead agency in the 1996 Geneva Conference process, confirmed that the Slovenian Chairmanship had identified migration and

integration as one of the important areas of focus for the Organization. An OSCE economic forum was held in Prague in May 2005, and was preceded by three preparatory seminars, including one in Almaty which dealt with migration issues. OSCE was preparing a handbook on effective practices as a tool for policymakers dealing with migration and was considering the organization of a regional workshop on migration issues for the CIS region as a whole, or for Central Asia only.

49. In the conclusions of the meeting of senior officials, it was noted that participating countries and international organizations had emphasized the complex migration dynamics in the CIS region, including forced displacement, and had acknowledged the various efforts made in other relevant forums and international frameworks to address them. In particular, the 1996 Geneva Conference and its follow-up process were mentioned as having produced achievements in that regard, which should be built on. Participants recognized the benefits to be gained through improved coordination, the exchange of workplans and information, and maintenance and fostering of contacts among regional processes, notably the Bali and Söderköping processes, and the activities succeeding the 1996 Geneva Conference process.

50. The Söderköping Process, a subregional spin-off from the 1996 Geneva Conference, has established itself as an effective framework for promoting enhanced cooperation on asylum and migration-related issues among the countries situated along the European Union's new eastern border. It now involves 10 countries, grouped into three geographical clusters. A secretariat for the Söderköping Process, also known as the Cross-Border Cooperation Process, was established in March 2003 at the UNHCR office in Kyiv to fulfil a coordinating role. It is funded by the European Union and receives logistical support from UNHCR.

51. Following the meeting of the northern cluster of CIS member countries in Kyiv in July 2003, UNHCR, together with the Swedish Migration Board and IOM, organized a conference of southern and central cluster countries in Chisinau in September 2003, the objective of which was to discuss the consequences of the enlargement of the European Union and examine the challenges in asylum and migration management faced by southern and central cluster countries.

52. The secretariat of the Söderköping Process organized a series of round-table meetings for national authorities and non-governmental organizations in Ukraine in June 2003, in the Republic of Moldova in September 2003 and in Belarus in September 2003. The objective was to introduce the Söderköping Process and elicit from Governments and representatives of non-governmental organizations information concerning gaps in their protection and administrative capacities.

53. In October 2003, UNHCR together with the Swedish Migration Board and IOM convened a senior level review meeting in Söderköping, Sweden. The main objectives of the meeting were to identify priorities and the action to be taken for the further development of the process and to review funding possibilities for securing future activities. On the basis of the discussions held, a number of recommendations were endorsed by the participants to encourage the countries participating in the Söderköping Process and partner organizations to explore new methods of cooperation (e.g., by establishing ad hoc or specific working groups and cross-border contact centres, and giving consideration to twinning arrangements between the countries).

54. On 26 May 2004, a contract was signed between the European Commission and the Swedish Migration Board for the continuation of the Söderköping Process and the administration of its secretariat, covering the period from 1 May 2004 to 31 October 2005. The objective of the project is, through cooperation in migration and border management between countries in the western CIS region and neighbouring new member States of the European Union and candidate countries, to make the western CIS region less attractive to transit migration and to build the capacity of the State as a safe country of asylum. More specifically, the project aims to enhance cooperation between Belarus, the Republic of Moldova and Ukraine and the neighbouring countries of Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia by: facilitating a structured, open dialogue with a view to creating a regional asylum and migration management network; providing support for governmental capacity-building in order to reduce irregular migration; tackling irregular migration and trafficking and contributing to improved border management; determining approaches to asylum-seekers and undocumented migrants while ensuring that the rights of migrants are respected; and assisting in the transfer of the experience of new members of the European Union and that of candidate countries in aligning national legislation with the Union's acquis on asylum and migration.

55. It is expected that the project will contribute to: strengthened asylum, migration and border management in the beneficiary countries; improved observance of the rights of migrants and awareness of international refugee and human rights law; increased access to information on neighbouring country migration and refugee legislation and related administrative structures; increased awareness and mutual understanding of the reality of the new border; and more efficient cooperation among the countries and organizations participating in the Söderköping Process.

56. A meeting of northern cluster countries was held in Minsk on 9 and 10 September 2004 as a follow-up to the annual senior level review meeting. Launching the new round of meetings of clusters of CIS member countries within the framework of the Söderköping Process in the biennium 2004-2005, the meeting provided the opportunity to exchange updated information on the most recent developments in participating countries and the European Union in the field of asylum, migration and border management and to explore ways of sharing the experience gained by the new member States of the European Union in the accession process with Ukraine, Belarus and the Republic of Moldova.

57. In parallel with the above-mentioned meeting, a meeting of southern and central cluster countries was held in Budapest on 28 and 29 October 2004. The meeting gathered together asylum, migration and border guard officials and representatives of non-governmental organizations from Hungary, the Republic of Moldova, Romania, Slovakia and Ukraine, as well as representatives of the European Commission, IOM, the Swedish Migration Board and UNHCR, to analyse the consequences of the establishment of the new eastern border of the European Union.

58. Among the issues of common concern to all participating countries raised in the course of the two meetings were: need to exchange information on various topics of interest; collection and dissemination of good practice, an area in which it was considered that the secretariat could be instrumental; and mutual study visits,

which strengthen cooperation among countries but which are hampered by a lack of funds. Also noted were the limited access by non-governmental organizations to migrants and asylum-seekers in some of the countries, as well as the absence of a cooperative network of non-governmental organizations in the subregion, of know-how and of funds for the voluntary return of migrants. Based on the needs and concerns articulated by the participating countries during the meeting, the secretariat drew up recommendations and suggestions for follow-up activities to address them at the subregional or bilateral level.

59. The first thematic workshop on reception and detention regimes was held in Kyiv on 7 and 8 February 2005. The workshop provided practical training related to refugee and irregular migrant reception and detention issues for governmental officials and representatives of non-governmental organizations from the 10 countries involved in the Söderköping Process.

60. Another senior level review meeting held in Söderköping, Sweden, on 12 and 13 May 2005 gathered together ministerial-level asylum, migration and border guard officials from Belarus, Estonia, Hungary, Latvia, Lithuania, the Republic of Moldova, Poland, Romania, Slovakia and Ukraine, as well as representatives of UNHCR, IOM, the Swedish Migration Board and the European Commission. The participants identified the transfer of experience as a top priority and committed themselves to providing expertise to the Process. It was suggested that all participating countries provide all appropriate information regarding bilateral contacts established within the framework of the Process to its secretariat. The participants welcomed the shift to a more thematic approach to activities and reiterated the need to articulate common strategies for cooperation in a more thematic and issue-specific context.

61. The secretariat prepared a road map of the Söderköping Process, as indicative of all issues and needs articulated by the governmental authorities and non-governmental organizations involved in the Process throughout the biennium 2003-2004. The road map was aimed at formulating a proposed course of action, aligned with the objectives specified in regard to the Eastern Europe region in the table of geographical and thematic priorities established for the European Commission's AENEAS programme for 2004, which seeks to support regional dialogue and cooperation initiatives among the countries of the region, countries of the European Union and the transit countries concerned. The road map was particularly aimed at identifying ways in which cross-border management of migration and asylum problems can be identified within the region and ways in which the national migration and asylum systems of the countries of the western CIS region could be further strengthened.

62. Overall, the Söderköping Process has helped the asylum, migration and border guard authorities and non-governmental organizations to capitalize on their unique insights on issues related to asylum, migration and border management, and to share their experience with other countries. Several countries, especially the three main beneficiaries, have taken advantage of the discussions held within the framework of the Process in evaluating and maximizing bilateral cooperation with their neighbours.

63. As one of the defining features of the Söderköping Process, the activities implemented have added value in terms of providing the countries concerned with a substantive range of information, best practice and funding opportunities to enhance

their asylum, migration and border management capacities. All activities implemented have covered a specific aspect, identified by the countries in the course of previous years; several of the activities have contributed to the everyday work of asylum, migration and border guard authorities. In many instances, the secretariat's ability to generate dialogue, document the ideas expressed and share such ideas among the participants, has helped to develop the Process into a forum of discussion with significant capabilities. Given the evaluations provided by the participating countries in the course of the meetings and workshops and throughout the senior level review meeting, a more revitalized discussion in the course of the Process has generated a higher level of commitment by countries to share their insight and expertise.

III. Conclusion

64. **Following the request addressed to UNHCR by the General Assembly in resolution 49/173 of 23 December 1994 to convene a regional conference to address the problems of involuntary displacement in the CIS region, the 1996 Geneva Conference and its follow-up process provided the first major framework for international cooperation in the areas of migration, displacement and asylum in the post-Soviet era.**

65. **During its 10-year duration, the process has been successful in fulfilling many of the original goals of this historic multilateral effort by developing strategies and practical tools for more effective capacity-building and enhancing programmes; promoting adherence to international standards and practices; and facilitating cooperation through partnership at the regional and international levels. A second generation of intervention is now being witnessed, informed by the full range of interests in the European Union neighbourhood and by an overhauled global security agenda.**

66. **UNHCR remains committed to continuing to work in partnership within a new, revamped post-1996 Geneva Conference framework tailored to the needs of the evolving environment within which the 12 CIS member countries coexist and which affects their relationships both within and beyond their geographical borders. States participating in the Conference process have recommended building on the foundations already laid and maintaining a framework of cooperation and consultation after its formal conclusion.**